

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
DELTA DIVISION

ROBERT LEWIS, Plaintiff

V.

NO. 2:92CV017-D-O

JERRY FRASIER, ET AL, Defendants

O P I N I O N

Plaintiff brings this action pro se against Jerry Frasier, President of the Valley Bank, and the Board of Directors of Valley Bank. Plaintiff alleges that defendants allowed him to open a personal checking account and apply for a commercial loan without him showing any type of identification.

Plaintiff further states that he was later arrested and incarcerated on a complaint from defendant Frasier that plaintiff had committed a crime.<sup>1</sup> As a result of his incarceration, he alleges that he had large amounts of personal property stolen because he was unable to secure living quarters and that he did not have the opportunity to pursue business ventures.

Plaintiff contends that defendants were required to obtain proper identification from him before permitting him to

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<sup>1</sup> Plaintiff does not specify what crime he was charged with.

obtain the accounts, and that not doing so was "intentional, reckless and outrageous conduct" that caused him to suffer emotional distress.<sup>2</sup> He seeks punitive and compensatory damages of \$526,500.00.

Plaintiff does not specify what statute he is bringing this cause under. Moreover, he does not specify jurisdictional grounds for the court to entertain this issue. It is the court's duty to be attuned to that issue at all times and, toward that end, the court has scrutinized the allegations of plaintiff and can find nothing that would indicate that it has jurisdiction in this matter.

A pleading which sets forth a claim for relief . . . shall contain (1) a short and plain statement of the grounds upon which the court's jurisdiction depends . . . , (2) a short and plain statement of the claim showing that the pleader is entitled to relief, and (3) a demand for judgment for the relief the pleader seeks. Relief in the alternative or of several different types may be demanded. [Fed.R.Civ.P. 8].

Plaintiff's complaint, even when given the liberal interpretation required by Haines v. Kerner, 404 U.S. 519 (1972), fails on both requirements (1) and (2) required by Rule 8, supra.

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<sup>2</sup> Apparently this distress resulted from his arrest and incarceration, although he does not state this specifically. Neither does he state how opening the accounts led to his arrest.

Therefore, the court has no option but to dismiss this cause for lack of subject matter jurisdiction.

A final judgment in accordance with this opinion will be entered.

THIS the \_\_\_\_\_ day of \_\_\_\_\_, 1992.

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UNITED STATES DISTRICT JUDGE